IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 8090 of 2007(K)

PETITIONER:

JIJI,AGED 35 YEARS,D/O.SIVADAS,
THODUKULATH HOUSE,LOKAMELASWARAM VILLAGE,
PARAPPULLY BAZAR,KODUNGALLUR TALUK.

BY ADV. SRI.BABU KARUKAPADATH
SMT.M.A.VAHEEDA BABU

RESPONDENTS:

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1. KODUNGALLUR MUNICIPALITY,REPRESENTED BY
ITS SECRETARY,KODUNGALLUR.

2. CHILD DEVELOPEMENT PROJECT OFFICER,
KODUNGALLUR MUNICIPALITY.

3. DISTRICT SOCIAL WELFARE OFFICE,THRISSUR.

4. GANGA M.U,AGED 20 YEARS,MATTATHIL HOUSE,
KAVILKADAVU P.O,KODUNGALLUR.

R1 TO 3 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 8090 OF 2007

Dated this the 16th March, 2007.

JUDGMENT

The petitioner had been working as Anganwadi Worker in the first respondent Municipality on temporary basis for two spells. The total number of days she had worked according to the petitioner comes to 264 days. Government issued Ext.P1 order dated 11.10.2006 for the purpose of regularising the temporarily appointed Anganwadi workers. Ext.P1 was modified by Ext.P2 order dated 6.1.2007. According to the petitioner if a list is prepared in terms of Ext.P1 as modified by Ext.P2, the petitioner's name shall find a place therein. But in Ext.P3 list published by the respondent-Municipality, the petitioner's name is omitted. Hence this writ petition has been filed challenging Ext.P3 list. The petitioner has sought for a direction to the respondents to prepare the seniority list of temporary Anganwadi workers strictly in terms of Exts.P1 and P2 reckoning the date of her initial appointment for the purpose of seniority.

2. After hearing the counsel for the petitioner at some length, I felt that the alleged violation of Exts.P1 and P2 orders by any of the subordinate authorities or local bodies, can be brought to the notice of the third

respondent who is the officer at the district level to see that orders issued by the Government are properly implemented by the project officers of the concerned Municipalities.

3. The petitioner has filed Ext.P4 representation addressed to the third respondent requesting to issue appropriate directions to the first respondent to prepare the list in terms of Exts.P1 and P2 and to redress her grievance.

4. I have heard Govt. Pleader appearing for the third respondent. In the nature of the order I propose to pass, it is not necessary, at this stage, to issue notice to respondents 1, 2 and 4.

5. The writ petition is disposed of directing the third respondent to take up for consideration Ext.P4 immediately, issue notice to the petitioner, the respondents 1 and 4, afford them an opportunity of being heard and take decision in accordance with law, as expeditiously as possible, in any event, within two months from the date of receipt of a copy of the judgment. Needless to state that if the third respondent finds that Ext.P3 list was drawn up not strictly in terms of Exts.P1 and P2, appropriate directions shall be issued to the first respondent to prepare a fresh list within a time

frame. With the above directions this writ petition is disposed of.

K.K.DENESAN
Judge

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